

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FORTINET, INC.,  
Plaintiff,  
v.  
SOPHOS, INC., et al.,  
Defendants.

Case No. [13-cv-05831-EMC](#) (DMR)

**ORDER DENYING MOTION FOR  
LEAVE TO AMEND INFRINGEMENT  
CONTENTIONS AND MOTION TO  
SEAL WITHOUT PREJUDICE**

Re: Dkt. Nos. 134, 135

Fortinet has filed a motion for leave to amend its infringement contentions and a related motion to seal. [Docket Nos. 134, 135.] The motion has been referred to the undersigned.

In the first motion, Fortinet describes the parties' efforts to meet and confer about Fortinet's proposed amendments, and notes that Sophos stated, on May 14, 2015: "We agree that it makes sense to allow some limited amendments to [the] infringement contentions now that both sides have had the benefit of additional discovery." Fortinet also states that its motion is "potentially [un]opposed." However, because Sophos did not respond in a timely fashion to Fortinet's proposed amended infringement charts, Fortinet filed its motion.

Fortinet's motions are **denied without prejudice**. The parties are directed to meet and confer immediately, in person or by telephone, about Fortinet's proposed amended infringement contentions. If the parties are unable to resolve their dispute without judicial intervention, the parties shall file a joint discovery letter of **no more than eight pages** on any remaining disputes by **June 11, 2015**, following this court's standing order on discovery disputes. *See* Docket No. 78. The court will then schedule a hearing on any joint discovery letter if necessary.

**IT IS SO ORDERED.**

Dated: June 4, 2015



Donna M. Ryu  
United States Magistrate Judge